

AMENDMENTS TO THE DRAWINGS

The Examiner has objected to the drawings under 37 CFR 1.83(a) for failing to show the veil recited in claim 7. Applicant respectfully submits amended figure 3 showing the veil as element 220 wrapped circumferentially around the cut back portion 150 and wedge portion 600. Applicant further submits amended Figure 6 to correct an error in numbering wherein number 140 was renumbered 170 and 170 was renumbered 140.

AMENDMENTS TO THE SPECIFICATION

Under the heading "Detailed Description of the Example Embodiments", in the first paragraph on page 9, beginning on line 13:

one embodiment, the heat is applied to either side of the weld to insure more uniform heat distribution and improve catalytic response. The core 130 may then be primed (block 560). The primer 160 may become tacky in approximately 2-10 minutes. In an alternative embodiment, as stated above, the primer 160 may take longer or shorter time to become ready for application of composite layer 140 depending on the primer utilized (see above for alternative embodiments of the primer). The joint tape 210 is then applied circumferentially about the cut-back portions 150 (block 570). In one embodiment, a spring loaded air cylinder may be used to apply pressure to consolidate the joint reinforcement material while it is wound onto the joint. This application of pressure both improves the density of the material and minimizes wrinkling of the layers as applied. In an alternative embodiment, a polyester veil 220 may be wrapped circumferentially around the assembly at the cut back portion 150 to provide further protection of the fibers from the environment (block 582). A plastic tape may also be wrapped circumferentially around the assembly to reduce dripping of resin into the environment (block 584). Suitable tapes include polyvinyl alcohol (PVA), nylons and polyesters.

REMARKS

In response to the above-identified Office Action, Applicant amends the application and seeks reconsideration thereof. In this response, two claims have been

amended, no claims have been added and no claims have been cancelled. Accordingly, Claims 1-13 are pending.

Information Disclosure Statement Rejected Under 37 CFR 1.98(a)(2)

The Examiner has refused to consider the information disclosure statement filed on 4/7/2004 for failing to comply with 37 CFR 1.98(a)(2) which requires a legible copy of each U.S. and foreign patent and all publications or portions thereof causing them to be listed. Applicant respectfully submits copies of the documents listed in the information disclosure statement and requests the Examiner consider the information referred to therein.

Claims Rejected Under 35 U.S.C. §112

The Examiner has rejected Claims 6-7 and 9 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended the limitation of "the reinforcement lap" found in line 2 of Claim 7. Applicant respectfully submits the Applicant intended for the limitation to recite "the reinforcement layer" however the term "layer" was mistyped as "lap." Accordingly, Applicant has amended Claim 7 to reflect this correction.

With respect to Claims 6 and 7, Applicant respectfully submits the phrase "warp-dominated material" recited in Claim 6 and "warp direction" recited in Claim 7 are not unclear. In addition to being a term of art within the fabric industry meaning "threads that run lengthwise in a fabric crossed at right angles by the weft", the term "warp" is clearly used by the Applicant throughout the specification to describe particular fibers of the woven fabric used for the joint tape 210. On page 6 of the Application, Applicant recites "[t]he joint tape 210 may be manufactured of a 80/20 warp and weft woven joint tape..." i.e. "warp dominated material." Warp dominated is well understood to mean

that there are more warp fibers than weft fibers. Applicant further states “the joint tape 210 may be manufactured with several warp fibers removed from each side of the joint tape 210 to provide joint tape tails 215 out of the weft fibers that then remain extended out from joint tape 210.” This configuration is then clearly shown in Figure 4 wherein the woven fiber of the joint tape 210 is shown comprised of a higher ratio of warp fibers than weft fibers. Fibers extending in the claimed “warp direction” are also clearly shown in Figure 4. Withdrawal of the rejection is therefore respectfully requested.

Claims Rejected Under 35 U.S.C. §102

The Examiner has rejected Claims 1-4, 9 and 12-13 under 35 U.S.C. §102 as being anticipated by van der Linden et. al., U.S. Patent No. 4,732,412 (“Linden”). Applicant respectfully traverse this rejection.

Anticipation may only be established if “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits that Linden fails to disclose at least one element of each of independent Claims 1 and 12 therefore these claims are allowable over the references of record.

Particularly, with respect to Claims 1 and 12, Applicant respectfully submits that Linden does not explicitly or inherently disclose the limitation of a “composite reinforcement circumferentially surrounding the core” adhering to the pipe segments. Linden teaches conventional pipe within an insulative sleeve, Linden fails to teach or suggest composite reinforced pipe. The Examiner generally references Figure 3 of Linden in support of the rejection however fails to indicate which element of the figure discloses Applicant’s claimed limitation of a composite reinforcement surrounding the core. Applicant has closely reviewed the reference and has been unable to find a

teaching of Applicant's claimed limitation. If the Examiner believes that this element is disclosed, it is requested that the Examiner specifically identify where in the reference this element is found. Applicant respectfully requests the rejection based on Linden be withdrawn.

Claims 2-4, 9 and 13 depend from patentable independent claims and are therefore also patentable over the reference of record.

Moreover, with respect to Claim 4, Applicant respectfully submits Linden fails to disclose Applicant's claimed "resin saturated reinforcement tape." The Examiner erroneously contends that because the sheet material 1 of Linden is "made from resin" it discloses Applicant's claimed limitation of "resin saturated reinforcement tape." Applicant respectfully submits, in making this argument the Examiner has not addressed the limitation claimed by the Applicant in its entirety. Applicant is not claiming a material made from resin. Claim 4 recites the limitation of reinforcement tape that is *saturated in resin*. In addition, the Examiner's contention is illogical in that numerous materials are made from resin. Certainly not every material claimed in an application with resin in it is anticipated by the polymeric sleeve 1 disclosed in Linden.

The remaining claims not explicitly discussed above are patentable at least because they are dependent on patentable independent claims. In view of the foregoing, it is respectfully requested that the rejections of Claims 1-4, 9 and 12-13 under 35 U.S.C. §102 as being anticipated by Linden be withdrawn.

The Examiner has rejected Claims 1 and 3-11 under 35 U.S.C. §102 as being anticipated by Jones. As previously discussed, Anticipation may only be established if "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits

that Jones fails to teach or suggest at least one element of each of independent Claims 1 and 10 and therefore these claims are allowable over the references of record.

Accordingly, Applicant respectfully traverses the rejection.

Applicant respectfully submits the Jones invention is directed toward an entirely different field of endeavor than Applicant's invention. Jones discloses a hose splice for joining flexible hosing whereas Applicant's invention claims an apparatus for joining metal pipe segments together. Moreover, Jones fails to disclose a "composite reinforcement circumferentially surrounding the core", since the "reinforcing layer" of Jones is not fibers in a resin matrix as "composite reinforcement" is defined but rather is merely a mesh of textile fabric. As this limitation is present in both independent claims, the rejection based on Jones should be withdrawn.

Moreover, with respect to Claim 6, Applicant respectfully submits the Examiner has misconstrued Applicant's claimed limitation of "wherein the resin reinforcement tape is comprised of a warp-dominated fiber material" in reciting the limitation as "the resin is a fiber material" and rejecting Claim 6 based on Jones Col. 3, lines 71-72. The excerpt from Jones cited by the Examiner describes a reinforcing material of a textile fabric however nowhere does it explicitly or implicitly refer to resin much less Applicant's claimed limitation of a "resin reinforcement tape comprised of a warp-dominated fiber material." Thus, Jones fails to anticipate claim 6 and it is respectfully submitted that the rejection of Claim 6 should be withdrawn.

In view of the foregoing, it is respectfully requested that the rejections of Claims 1 and 3-11 under 35 U.S.C. §102 as being anticipated by Jones be withdrawn.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

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Dated: October 14, 2004

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 14, 2004.

Susan M. Barrette
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10/14/2004
Date